

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

SANDRA JOHNSON

V.

**REGENCY NURSING AND
REHABILITATION CENTERS, INC.**

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Case No. 1:09-CV-1004

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge, for pretrial proceedings pursuant to a referral order entered on December 11, 2009. The court has received and considered the report of the United States magistrate judge, who recommends that the court dismiss this action *sua sponte* without prejudice for want of prosecution, including a failure to notify the court of a change of address, failure to submit a joint conference report under Federal Rule of Civil Procedure 26(f) and this court's Order Governing Proceedings, and failure to appear for a scheduling conference. On June 25, 2010, the Clerk of Court sent plaintiff a copy of the report of the United States Magistrate Judge which was returned undelivered as unclaimed, providing further support that plaintiff will not pursue this action in a compliant and expeditious manner.

The magistrate judge's report is hereby **ADOPTED**. The purpose of the referral having been served, it is further

ORDERED that the reference to the magistrate judge is **VACATED**.

So **ORDERED** and **SIGNED** this **12** day of **August, 2010**.



Ron Clark, United States District Judge